

MAYER • BROWN

Mayer Brown LLP
1675 Broadway
New York, New York 10019-5820

Main Tel +1 212 506 2500
Main Fax +1 212 262 1910
www.mayerbrown.com

Mark G. Hanchet

Direct Tel +1 212 506 2695
Direct Fax +1 212 849 5695
mhanchet@mayerbrown.com

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BY ECF FILING

The Honorable William F. Kuntz
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Fischer v. Erste Group Bank* (12-cv-3328)

Dear Judge Kuntz:

We represent Bayerische Landesbank in the above-captioned case. As we mentioned in the June 25 conference, the German government has informed us that it wishes to make a short (2-3 page) submission in support of Bayerische Landesbank's motion to dismiss.

The German government indicated that it is strongly prefers submitting to this Court a Letter of Interest that would present its position. We believe that this would be in a form similar to the letter that the German government filed with the Second Circuit in a pending matter, *Viking Global Equities v. Porsche Holding SE*, No. 11-397 (attached). Germany does not intend to appear in this Court other than via its written submission. We understand that Germany would be prepared to make such a submission by July 12.

If, however, the Court requests that Germany's submission take the form of a formal *amicus* brief, Germany would need to identify and retain counsel admitted to this Court. In that event, we understand that Germany would request this Court to provide it additional time by which to file a brief. We believe that Germany could file such a document in late August, which would still be at least two weeks before the plaintiffs' response is due.

Accordingly, we respectfully request that the Court permit Germany to file a submission in the form of a letter to the Court with copies to the parties or, in the alternative, permit Germany to file an *amicus* brief no later than August 30.

Respectfully submitted,



Mark G. Hanchet

cc: All counsel